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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,087	12/30/2003	Clarke Berdan II	25401A	7962

22889 7590 06/30/2006

OWENS CORNING  
2790 COLUMBUS ROAD  
GRANVILLE, OH 43023

EXAMINER

DIXON, MERRICK L

ART UNIT	PAPER NUMBER
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1774

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/749,087

Applicant(s)

BERDAN ET AL.

Examiner

Merrick Dixon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) 20-46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

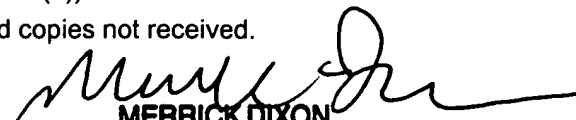
### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
MERRICK DIXON  
PRIMARY EXAMINER

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5-18-05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,5,8,9,10-13 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Hillman(US 4711685).

The cited reference teaches the claimed invention including a decorative acoustic panel comprising a main body of a first density and a edge section having a second density- col 4, lines 39-43; col 4, lines 1-12; col 4, lines 65-68; col 5, lines 24-38. concerning claim 5, the reference teaches compressed edges-fig 2; col 4, line 66. concerning claim 10, the reference teaches the limitations as set forth above' concerning claim s 11-12, the reference teaches opposed densified edges- fig 2. concerning claim 13, decorative sections as claimed- col 4, lines 41-43. concerning claim 18, the reference teaches such formations- col 4, lines 42-43. Concerning claims 8 and 9, the reference teaches integral surfaces- col 4, lines 40-43; fig 2.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2,15-17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hillman('685) in view of Daniel et al(US 5823611). The primary

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reference substantially teaches the claimed invention , as discussed above, but however, fails to teach the aspect of folding its edge portions. The secondary reference to Daniel, however, teaches such aspects- col 2, lines 39-48; figs 2 and 3 col 1, lines 51; col 3, lines 46-51. It would have been obvious to one of ordinary skill in the art at the time the invention is made to combine the teachings of Daniel and facilitate the primary reference with such filed design , in the absence of unexpected results motivated by the desire to produce trimmed edge appearance to the product- col 1, lines 61-65. concerning claim 16, the secondary reference teaches edge extensions as claimed- col 1, lines 50-55. concerning claim 17, the secondary reference teaches such flushed configuration , as discussed above. Concerning claim 2, the secondary reference teaches similar decorative surface placements- fig 1. Concerning claim 19, the secondary reference teaches nonlinear shapes(30)- claim 4, also.

5. Claims 3, 4,6,7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hillman(US 4711685) in view of Sandoe et al(US 6756332 B2). The primary reference to Hillman substantially teaches the claimed invention and additionally teaches fiber material(col 2, lines 17-50) but fails to expressly teach thermoplastic material in its article. The secondary reference, however, teaches that it is known to utilize thermoplastic bicomponent fibers in products as taught by the primary reference( col 3, lines 50-61; col 4, lines 18-28). It would have been obvious to one of ordinary skill in the art at the time the invention is made to combine the teachings of the

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secondary reference to Sandoe et al and provide such types fiber material in the primary reference material, in the absence of unexpected results , motivated by the desire impart stability to the product- col 4, lines 55-67. concerning claim 4, the secondary reference teaches bicomponents fiber- col 4, lines 50-56. concerning claims 6 and 7, the secondary reference teaches forming the decorative material on various substrate- col 3, lines 50-61; col 4, lines 18-28. concerning claim 14, the secondary reference teaches heat application- col 6, lines 29-38.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Daniel et al( US 5833304) is cited of interest for its teachings as set forth.

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Applicants who wish to send a facsimile (draft copies) for the examiner's immediate review can do so by using the Examiner's personal fax number at 571-273-1520. The faxing of all papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 ( November 15, 1989). **NOTE: All facsimiles sent to the examiner's**

**personal fax number should be in draft-forms and will be treated as informal.**

**Same facsimiles will not be entered in the related applications unless otherwise agreed and noted by the examiner.**

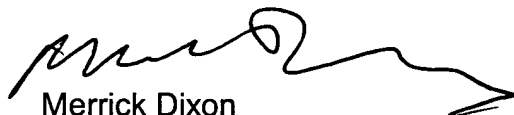
**The fax number for all other fascimile is 571-273-8300.**

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Information about **the status of an application** may be obtained from the Patent Information Retrieval system (**Private PAIR**).

Status inquiries for **published applications** may be retrieved from either **Private PAIR** or **Public PAIR**. Questions about the PAIR system should be directed to the Electronic Business Center at **866-217-9197**.

Any questions concerning the instant communication should be directed to Examiner Dixon, at 571-272-1520, Mondays to Thursdays, between 12 noon and 8 PM, eastern time . The examiner's supervisor, Mrs. Rena Dye, can be reached at 571-272-3186.

A handwritten signature in black ink, appearing to read 'Merrick Dixon', with a stylized, elongated flourish extending to the right.

Merrick Dixon

Primary Examiner

Group 1700